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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of:

LIN

Serial No. 09/084,441

Filed: May 27, 1998

Title. OPTHALMIC SURGERY METHOD USING  
NON-CONTACT SCANNING LASER

Group Art Unit: 3739

Examiner: Michael Peffley

Client Reference: LIN

Attorney Docket: 62-575

December 1, 2000

**THIRD SUPPLEMENTAL AMENDMENT**FAXED COPY RECEIVED  
DEC 01 2000Director of the U.S. Patent and Trademark Office  
Washington, D.C. 20231

Sir:

Kindly enter the following amendments and remarks in the above-  
referenced application.**IN THE CLAIMS**

Kindly amend the claims as follows:

Kindly cancel claim 59, without prejudice.

In claim 80, lines 2-3, correct the dependency from "according to  
claim 79" to --according to claim 78--.

In re Appl. No. 09/084,441 to Lin

56 70  
69. (Amended) A method [An apparatus] for ablating tissue, comprising:

e1 providing a basic laser having a pulsed output laser beam of a fundamental ultraviolet wavelength [within a range of 193-220 nm] of 193 nm exiting from an output window of said basic laser, and a repetition rate of 1 Hz to 1000 Hz; and

scanning [a scanner constructed and arranged to control] said pulsed output beam into a substantially overlapping pattern of beam pulses on said tissue such that adjacent ablation spots on a single ablation layer of said corneal tissue significantly overlap one another.

70. (Amended) The method [apparatus] for ablating tissue according to claim ~~69~~<sup>68</sup>, wherein:

62 said substantially overlapping pattern of beam pulses has an orientation which is achieved using a randomized scanning of said pulsed output beam on said tissue.

71. (Amended) The method [apparatus] for ablating tissue according to claim ~~69~~<sup>68</sup>, wherein:

63 said pulsed output laser beam has an energy level exiting from said output window of said basic laser of no greater than 10 mJ per pulse.

72. (Amended) The method [apparatus] for ablating tissue according to claim ~~69~~<sup>68</sup>, wherein:

said [scanner is constructed and arranged to overlap] scanning overlaps adjacent beam pulses corresponding to adjacent ablation spots on said single ablation layer by at least 50 percent.

73  
73. (Amended) The method [apparatus] for ablating tissue according to claim ~~69~~<sup>68</sup>, wherein:

e4 said basic laser is an excimer laser.

In re Appl. No. 09/084,441 to Lin

REMARKS

Claims 1-24, 26, 28-30, 32, 35-41, 43-49, 53-55, 57, 58, 60, 63-72, 75, 76, 78, 80-83, 85, 87-91, 93-95, 97, 98, 105 and 106 remain pending in the application, claim 59 being cancelled herein.

The dependency of claim 80 is corrected herein.

The Applicants thank the Examiner for the courtesy extended in the personal interview of November 30, 2000. Pursuant to that interview, and as agreed, claims 69-72 and 75 are amended herein to be in method form, and to include a more specific wavelength of 193 nm.

Conclusion

It is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,



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**FACSIMILE TRANSMISSION**

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DATE: December 1, 2000 CLIENT NO: 62-575  
NUMBER OF PAGES: **4** (including cover)

**MESSAGE:**

Dear Ex Peffley:  
As discussed. Please call if there are any questions.  
Best regards,  
Bill Bollman

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